

April 24, 2023

Dr. Larry Tabak
National Institutes of Health
9000 Rockville Pike
Bethesda, MD 20892

Response to NOT-OD-23-091: Request for Information on the NIH Plan to Enhance Public Access to the Results of NIH-funded Research

Dear Dr. Tabak:

The American Society for Microbiology (ASM) appreciates the opportunity to respond to the National Institutes of Health's (NIH) request for information on the agency's plan to enhance public access to results of NIH-funded research. As one of the oldest and largest life science societies with more than 30,000 members in the United States and around the globe, our mission is to promote and advance the microbial sciences. ASM has a long-standing commitment to equity in science and recognizes that making research more widely accessible is a step in that direction. ASM has been an open access (OA) leader and advocate for many years and supports the fundamental principles of open science.

ASM's fifteen peer-reviewed journals, six of which are fully Gold open access and all of which publish open access content, are fundamental to ASM's mission and provide a critical service not only to our members, but also to the advancement of the microbial sciences globally. As you consider input on this public access plan, we stand ready to work with you to ensure a thoughtful, balanced approach. In the spirit of open science and open access, we have embarked on a journey to transform our publication business model to allow this important transition to happen.

General Comments

Given the scope, size, unique and indispensable function of the nonprofit, scientific society ecosystem in the United States, policy changes need to be made in a transparent, flexible and stepwise fashion. This is important to avoid unintended consequences that could result in reduced access to quality published scientific research provided by non-profit scientific societies in the United States. A key strength of our community is the diversity of its publishing operations. Each organization must be afforded the opportunity to find its own path forward and have the flexibility to adjust its business model to accommodate OA accordingly. We appreciate that your plan states your commitment to business model flexibility, and we expand more on this and other concepts below.

In addition to embracing the concept of OA, ASM believes that data availability and data sharing are critical to our mission to advance the microbial sciences. In October 2019, we expanded our data policy to be more comprehensive and to apply across all of our journals, not just those that are open access.¹ For over three years now, authors have been required to make their data publicly available (except in rare circumstances) in order to publish in any ASM journal, preferably by depositing it in publicly accessible, curated and sustainable data repositories. While our policy has not been implemented without challenges, we believe the open data policy benefits both authors and readers in the long run.

Below are more specific answers to the topics outlined in the RFI.

How to best ensure equity in publication opportunities for NIH-supported investigators

ASM commends NIH for its commitment to equity and its work to achieve equitable access to publishing and to research in setting forth this plan. ASM continues to be concerned about the unintended consequences of enacting federal policies that might shift costs to researchers, or otherwise result in significant additional costs related to publication, repositories, data management, and staffing. There remains a cost to publishing good science. Peer reviewers are not paid, and maintaining the peer review system, which is integral to upholding scientific integrity and rigor, demands human time and adoption of innovative technologies. These standards and the integrity and rigor they uphold in science should not be compromised in the pursuit of public access.

As the costs of publishing increase, the costs are increasingly falling on individual researchers and institutions. We believe that if researchers are forced to make up for lost subscription revenue, a new kind of inequity will result. For example, author processing charges (APCs), which have evolved as an open access alternative revenue model to page charges and library subscriptions, have become increasingly expensive and created financial barriers for researchers from underserved populations, including early career researchers, those from historically excluded backgrounds, those at less research-intensive institutions and with limited resources and those living in the global south. We know that the scientific community does not want to disadvantage our colleagues in these institutions and countries by this approach.

It is critical that NIH policies support alternatives means for funding public access. We urge you to work with Congress and the research community to identify appropriate financial support to address these unequal additional burdens in future spending bills and through other strategies. Investing in infrastructure and services that are directly aligned with the research mission will be critical to laying the foundation for a more open and equitable system. We are pleased to see NIH's commitment to convening the community throughout the process to work through

¹ https://journals.asm.org/content/open-data-policy?_ga=2.31103164.223548841.1577910900-1577609744.1550589292

these challenges and share ideas, and we look forward to participating in these discussions. For example, to address equity concerns ASM is exploring a novel publication business model called “Subscribe to Open.” We envision this model will include incentives for our customers to invest in ASM as a publisher and a partner in curating and disseminating science in accordance with open access policies.

Methods for monitoring evolving costs and impacts on affected communities

We thank NIH for taking the approach of establishing a public access policy and not a publishing policy. When it comes to scientific publishing, one size does not fit all, and it is imperative that federal policies respect the business of publishing and allow for each organization to take an approach that works for its members and customers. We appreciate the need to monitor the costs as publishing entities move to public access models given it is a new policy; however, we urge you to proceed with caution when evaluating “reasonable cost.” For example, monitoring publication fees could result in a system that favors quantity over quality. There should remain bright lines between public access policies and publisher business models, and transparency in pricing should not be confused with transparency in business operations.

Conclusion

The American Society for Microbiology thanks the NIH for the opportunity to provide input on this important issue, and we encourage you to continue to engage stakeholders as you move from the plan to policy over the next two years. We appreciate your willingness to consider additional convenings with the community to work through these complex issues. Through open communication and by working together, ASM is confident that we can move boldly toward a world of open science, while also preserving the critical organizational infrastructure, including the financial health of nonprofit scientific societies, that has been foundational to publishing research in this country.

ASM and its members look forward to continuing to work with you as NIH implements this new public in this endeavor. For more information, please contact Allen Segal, ASM Director of Public Policy and Advocacy, at asegal@asmusa.org or 202-942-9294.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stefano Bertuzzi', enclosed in a thin black rectangular border.

Stefano Bertuzzi, PhD
ASM Chief Executive Officer